

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

DISCOTHEQUE, INC., et al.,	*	
	*	CIVIL ACTION FILE
Plaintiffs,	*	
	*	No. 1:19-cv-0074-JRH-BKE
-vs-	*	
	*	
AUGUSTA-RICHMOND COUNTY,	*	
GEORGIA, et al.,	*	
	*	
Defendants.	*	

RULE 26(f) REPORT

1. **Date of Rule 26(f) conference:** August 1, 2019.
2. **Parties or counsel who participated in conference:**

For the plaintiffs: Cary S. Wiggins

For the defendants: Randolph Frails
Tameka Haynes
3. **If any defendant has yet to be served, please identify the defendant and state when service is expected.**

All defendants have been served.
4. **Date the Rule 26(a) (1) disclosures were made or will be made:**

By August 15, 2019.
5. **If any party objects to making the initial disclosures required by Rule 26(a) (1) or proposes changes to the timing or form of those disclosures,**

(a) Identify the party or parties making the objection or proposal:

No objections or proposed changes.

(b) Specify the objection or proposal:

None.

6. The Local Rules provide a 140-day period for discovery. If any party is requesting additional time for discovery,

(a) Identify the party or parties requesting additional time:

No party is requesting additional time.

(b) State the number of months the parties are requesting for discovery:

5 months.

(c) Identify the reason(s) for requesting additional time for discovery:

___ Unusually large number of parties
___ Unusually large number of claims or defenses
___ Unusually large number of witnesses
___ Exceptionally complex factual issues
___ Need for discovery outside the United States
___ Other: _____

(d) Please provide a brief statement in support of each of the reasons identified above:

Not applicable.

7. If any party is requesting that discovery be limited to particular issues or conducted in phases, please

(a) Identify the party or parties requesting such limits:

None; not applicable.

(b) State the nature of any proposed limits:

None; not applicable.

8. The Local Rules provide, and the Court generally imposes, the following deadlines:

Last day for filing
motions to add or join
parties or amend
pleadings

60 days after issue is
joined

Last day to furnish
expert witness report
by plaintiff

60 days after Rule 26(f)
conference

Last day to furnish
expert witness report
by a defendant

90 days after Rule 26(f)
conference (or 60 days
after the answer,
whichever is later)

Last day to file
motions

30 days after close of
discovery

If any party requests a modification of any of these
deadlines,

- (a) Identify the party or parties requesting the
modification:

No modifications requested.

- (b) State which deadline should be modified and the
reason supporting the request:

None; not applicable.

9. If the case involves electronic discovery,

- (a) State whether the parties have reached an
agreement regarding the preservation, disclosure,
or discovery of electronically stored
information, and if the parties prefer to have
their agreement memorialized in the scheduling
order, briefly describe the terms of their
agreement:

The parties are discussing ESI search and
production options, but do not anticipate any
dispute.

- (b) Identify any issues regarding electronically stored information as to which the parties have been unable to reach an agreement:

None to date.

- 10. If the case is known to involve claims of privilege or protection of trial preparation material,

- (a) State whether the parties have reached an agreement regarding the procedures for asserting claims of privilege or protection after production of either electronic or other discovery material:

The parties have not reached an agreement but will follow Rule 26(b)(5).

- (b) Briefly describe the terms of any agreement the parties wish to have memorialized in the scheduling order (or attach any separate proposed order which the parties are requesting the Court to enter addressing such matters):

None.

- (c) Identify any issues regarding claims of privilege or protection as to which the parties have been unable to reach an agreement:

None to date.

- 11. State any other matters the Court should include in its scheduling order:

None.

- 12. The parties certify by their signatures below that they have discussed the nature and basis of their

claims and defenses and the possibilities for prompt settlement or resolution of the case. Please state any specific problems that have created a hindrance to the settlement of the case:

While the parties cannot settle or resolve this case at this time, there are no specific problems that would create a hindrance to possible settlement in the future.

This 14th day of August, 2019.

Attorneys for the
plaintiffs:

/s/ Cary S. Wiggins
Cary S. Wiggins
Ga. Bar No. 757657
Admitted Pro Hac Vice
WIGGINS LAW GROUP
Suite 401
260 Peachtree Street, NW
Atlanta, GA 30303
Telephone: (404) 659-2880
cary@wigginslawgroup.com

/s/ William Sussman
William J. Sussman
Ga. Bar No. 693000
347 Greene Street
Augusta GA 30901-1698
Telephone: (706) 724-3331
wjslaw@mindspring.com

Attorneys for the
defendants:

/s/Tameka Haynes
Randolph Frails
Georgia Bar No. 272729
Tameka Haynes
Georgia Bar No. 453026
Attorneys for Defendants
Frails & Wilson LLC
211 Pleasant Home Road, Suite
A1
Augusta, Georgia 30907
Telephone: 706-855-6715
Facsimile: 706-855-7631
randyfrails@frailswilsonlaw.com
thaynes@frailswilsonlaw.com